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E.O. 12958: DECL: 10/22/2017

TAGS: [PREL](#) [PGOV](#) [LE](#) [PTER](#) [EG](#)

SUBJECT: MFA ADVISOR ON EGYPTIAN JUDGE FOR SELECTION
COMMITTEE TO UN LEBANON TRIBUNAL

REF: A. CAIRO 3003

[¶](#)B. SECSTATE 139303

Classified By: ECONOMIC AND POLITICAL MINISTER-COUNSELOR WILLIAM R. STE
WART.

REASONS: 1.4 (B) and (D)

[¶](#)1. (S) MFA Cabinet Advisor Nazih el Neggary told Poloff Oct 22 that retired Egyptian judge Amin Mahdi had agreed to serve on the UN selection panel for judges to the UN Special Tribunal for Lebanon. However, Mahdi did not want to serve on the tribunal itself, for fear of having to carry out punitive actions against an Arab state (Syria). Neggary said that Mahdi's credentials and reputation in Egypt and the international community are impeccable, and that his participation in the selection of judges for the tribunal would lend credibility to the process, especially in Egypt and the Arab/Muslim world. Although Egypt supports the tribunal and recognizes the deterrent effect it could have on future assassinations, Neggary reiterated his concerns that merely having an Egyptian on the tribunal would risk antagonizing Syria at a time when the Egyptian bilateral strategy is to bring Syria along with incentives (reftel A).

[¶](#)2. (S) For this reason, Neggary said that the GOE will not send forward names of any candidates for the tribunal. According to Neggary, Mahdi's position on the selection panel is seen as the best way for Egypt to stay involved in the process. Neggary said that Mahdi was originally skeptical of the UN Tribunal as a tool of "Western pressure," but that he had backed Mahdi away from this initial position, and that after Mahdi read the Brammertz and Mehlis reports, he understood that there is a legitimate case to be decided. Bio Note: Mahdi has served as judge on the UN International Tribunal for the Former Yugoslavia at the Hague, and as President of the "Majlis al-Dawla" (the Egyptian State Council, one of Egypt's highest judicial bodies).

[¶](#)3. (S) Comment: We have heard from other sources that there may have been some in the MFA who had argued that the GOE should submit names of Egyptian candidates to serve on the UN tribunal. It appears, however, that the position articulated by Neggary has prevailed.

RICCIARDONE